

**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI**

YOLANDO YOUNG, and MELANIE YOUNG,	)	
individually and as Next Friend of [REDACTED]	)	
[REDACTED], minors,	)	
	)	
Plaintiffs,	)	
	)	Cause No.
vs.	)	
	)	Division
STATE FARM MUTUAL AUTOMOBILE	)	
INSURANCE COMPANY,	)	
SERVE:	)	
Chlora Lindley-Myers	)	
Director of Insurance	)	
301 W. High Street	)	
Jefferson City, MO 65101	)	
	)	
Defendant.	)	

**PETITION**

COME NOW Plaintiffs Yolando Young, Melanie Young, individually and as Next Friend of [REDACTED] minors, hereinafter "Plaintiffs", by and through their undersigned counsel of record, and for their Petition for damages would state as follows:

1. At all times relevant to this action, Melanie Young and Yolando Young were husband and wife and residents of the State of Missouri and natural parents of [REDACTED]

2. At all times relevant to this action, State Farm Mutual Automobile Insurance Company (hereinafter "State Farm") was a foreign business entity offering general liability insurance to the consuming public including but not limited to Melanie Young and Yolando Young, and doing business within the County of St. Louis, State of Missouri.

3. At all times relevant to this action, Melanie Young and Yolando Young entered into a contractual relationship with State Farm which agreed, in exchange for reasonable

consideration, to provide uninsured motorist coverage to or for the benefit of insureds including Melanie Young, Yolando Young, [REDACTED] in the aggregate amount of \$100,000.00, by and through policy number 470965325 (hereinafter “the policy”).

4. That on the 6<sup>th</sup> day of August, 2020, Yolando Young was operating a motor vehicle, which was insured through Defendant State Farm, in a legal and proper manner on U.S. 67 at Charbonier in St. Louis County, State of Missouri, whereupon said vehicle was violently struck from the rear by an uninsured motorist, Kayla Mendez. Melanie Young and two minor children, Yolando Young III and Yoshi Young were passengers in the vehicle being operated by Yolando Young.

### **Count I**

COMES NOW Plaintiff Melanie Young, and for Count I of her Petition against State Farm would state as follows:

5. Plaintiff repeats and realleges the material allegations of paragraphs 1 through 4 above and incorporates the same herein by reference for all purposes.

6. That Melanie Young is an insured under a policy issued by Defendant State Farm, by the terms and conditions of which State Farm was obligated to compensate Melanie Young for any damages sustained as a result of a third person’s negligent operation of an uninsured vehicle.

7. That at the time of the above-described collision with an uninsured driver, the policy was in full force and effect and all material terms and conditions were in substantial performance.

8. That State Farm is responsible to compensate Melanie Young for the personal injuries she sustained as a result of actions of a driver of an uninsured vehicle.

9. That as a result of being hit by a vehicle operated by an uninsured driver, Melanie Young was caused to suffer:

- a. Severe and permanent injuries to her head, neck, mid-back, low back and spine, and bilateral trapezius, resulting in pain, suffering, disability, and disfigurement, which pain, suffering, disability, and disfigurement are reasonably certain to continue into the future; and
- b. The reasonably necessary cost of medical treatment and cure, which costs of medical treatment and cure are reasonably certain to continue in the future.

WHEREFORE, for the foregoing reasons, Plaintiff Melanie Young respectfully prays for judgment in her favor and against Defendant State Farm Mutual Automobile Insurance Company in excess of the jurisdictional minimums of this Court together with pre and post-judgment interest, costs of Court, and such other and further relief as this Court deems just and proper.

### **Count II**

COMES NOW Yolando Young, and for Count II of his Petition against Defendant State Farm would state as follows:

10. Plaintiff repeats and realleges the material allegations of paragraphs 1 through hereinabove and incorporates the same herein by reference for all purposes.

11. That Yolando Young is an insured under a policy issued by Defendant State Farm, by the terms and conditions of which State Farm was obligated to compensate Yolando Young for any damages sustained as a result of a third person's negligent operation of an uninsured vehicle.

12. That at the time of the above-described collision with an uninsured driver, the policy was in full force and effect and all material terms and conditions were in substantial performance.

13. That State Farm is responsible to compensate Yolando Young for the personal injuries he sustained as a result of actions of a driver of an uninsured vehicle.

14. That as a result of being hit by a vehicle operated by an uninsured driver, Yolando Young was caused to suffer:

- a. Severe and permanent injuries to his mid-back, low back and spine resulting in pain, suffering, disability, and disfigurement, which pain, suffering, disability, and disfigurement are reasonably certain to continue into the future;
- b. The reasonably necessary cost of medical treatment and cure, which costs of medical treatment and cure are reasonably certain to continue in the future; and
- c. Lost earnings and loss of earning capacity which is reasonably certain to continue in the future.

WHEREFORE, for the foregoing reasons, Plaintiff Yolando Young respectfully prays for judgment in his favor and against Defendant State Farm Mutual Automobile Insurance Company in excess of the jurisdictional minimums of this Court together with pre and post-judgment interest, costs of Court, and such other and further relief as this Court deems just and proper.

### **Count III**

COMES NOW Plaintiff Melanie Young as Next Friend of [REDACTED] a minor, and for Count III of her Petition against Defendant State Farm would state as follows:

15. Plaintiff repeats and realleges the material allegations of Paragraphs 1-14 hereinabove and incorporates the same herein by reference for all purposes.

16. That as a result of being hit by a vehicle operated by an uninsured driver, Yolando Young III was caused to suffer:

- a. A violent strike by an uninsured driver causing immediate fear, terror, and pain;
- b. The reasonable and necessary costs of medical treatment and cure; and

c. Conscious pain, suffering, and anguish.

WHEREFORE, for the foregoing reasons, Plaintiff Melanie Young as Next Friend of [REDACTED] a minor, respectfully prays for judgment in his favor and against Defendant State Farm Mutual Automobile Insurance Company in excess of the jurisdictional minimums of this Court together with pre and post-judgment interest, costs of Court, and such other and further relief as this Court deems just and proper.

**Count IV**

COMES NOW Plaintiff Melanie as Next Friend of [REDACTED] a minor, and for her Count IV of her Petition against Defendant State Farm would state as follows:

17. Plaintiff repeats and realleges the material allegations of Paragraphs 1-16 hereinabove and incorporates the same herein by reference for all purposes.

18. That as a result of being hit by a vehicle operated by an uninsured driver, Yoshi Young was caused to suffer:

- a. A violent strike by an uninsured driver causing immediate fear, terror, and pain;
- b. The reasonable and necessary costs of medical treatment and cure; and
- c. Conscious pain, suffering, and anguish.

WHEREFORE, for the foregoing reasons, Plaintiff Melanie Young as Next Friend of [REDACTED], a minor, respectfully prays for judgment in his favor and against Defendant State Farm Mutual Automobile Insurance Company in excess of the jurisdictional minimums of this Court together with pre and post-judgment interest, costs of Court, and such other and further relief as this Court deems just and proper.

*Respectfully submitted,*

MCCLOSKEY, P.C.

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